

A
COMPLAINT
To the House of
COMMONS,

AND
Resolution taken up by the free Pro-
testant Subjects of the Cities of
London and Westminster, and the
Counties Adjacent.



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By speciall Command.

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ceedings of the
Court of Session.



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**A Complaint to the House of *Commons*, and
Resolution taken up by the free Prote-
stant Subjects of the *Cities* of *London* and
Westminster, and the *Counties* adjacent.**

Loosers may speak by authoritie of a Pro-
verb, and then we are sure we ought not to
be silenced; we have seen and perused many
Remonstrances, Declarations, Votes and
Ordinances, and our vote upon them all is,
That it had been happy for us, more advantagious to
our Religion, and more honourable to our Nation, if
they had been strangled in the birth, and never wal-
ked abroad in the light; and that it will never be well
with us, or the Kingdom, till they be buried in obliv-
ion: for we find so much bitterness and asperitie in
some, so many jealousies and feares raised in others,
so little truth in many, and so much danger in them all,
that we may justly feare some Conjurers have been
abroad to raise evill spirits; and that we shall never
be at quiet, till they be under ground. We have li-
ved to see many changes in Church and State,
as make our hearts ake, because for the most part they
are still for the worst, and when we could not beleive
a degree beyond our miseries, and thereupon built
hopes of amendment, our sense of suffering taught

us new degrees of comparison ; we will instance in a few , and by them ghesse at the rest (for we like not generalls, no more then letters testimoniall of credit without a name to owne them.) It is granted of all hands we are free Subjects, borne to the Lawes of the Kingdom as our birth-right, which we may challenge of right, and that we maintaine the Protestant Religion against Popery, and all other Sects and Heresie, and that the Liturgy of the Church is established by Act of Parliament. We beseech you now consider how we are used in all these; Our estates were taken away under the gentle terms of Benevolences and Loanes, where the choice was, either to part with our Estates and Land, or lye in Prison : When we found this pressure, we ran to the Law for protection, and found by wofull experience that innocence was a worse crime then felony; for he that was committed for felony was admitted to baile, whilest he that was committed for no cause was upon his *Habias Corpus* remaned and continued in Prison : Thus it fared with us in our Liberties, and not much better in our Property, for what with charge of Arms and Musters (where the Lord Lieutenants, or Deputy Lieutenants spleen or will made a Law) and billeting Souldiers and the like, what we enjoyed was at the will of others rather then our own ; and beleive it our lives were in no small hazard, when Martiall Law was so freely talked of : These were no small losses to make men speak ; but we silently suffered; and not long after came our Petition of Right, which re-invested us in our legall inheritance again, and as we thought had setled us in that happineffe which was immovable ; but experience soon

soon taught us the contrary, For a way was found
to create offences by Proclamation, and a Court
that could make any thing an offence at their pleasure,
and punish it how they list, where great Losers could
more easily impose five or six times more for a new
made offence, then pay the tenth part of such a summe
for their own just Debts, and to make their own
sentences more severe, could find out new Prisons,
and close imprisonment to separate the distressed from
their friends, yea and whip men too, and inflict o-
ther corporall punishment, which is not pleasing to
us in the remembrance. Nay, it was grown to such
a height of naughtiness, that the base Projectors and
Monopolizers (the bane of the Commonwealth)
made use of that Court of Justice (if so we may call
it) to uphold their villany (let that stinging Sope
Project witnesse whether we speak truth or not.)
And as if we could not have been undone soone enough,
we had a Master Project invented, to submit all our
estates to the Kings pleasure by a new devised Ship
writ, whereby the King might make a necessity at
pleasure, and then impose what he thought fit, which
after it had been hatched and contrived by some over-
learned wicked braines, was countenanced under a
pretext of Law by the Judges, (in mentioning of
which we intend not either *Water*, *Hutton*, or *Crooke*,
who are dead, or *Cren*, who is yet living, for their
memories are precious with us for honest men) and
this was prosecuted with no small violence (as many
other projects besides) by the Kings Counsell at Law,
who may blush for shame, or at least quake for feare,
to thinke how they misled a good King and their
gracious Masters to the greivance of his best Sub-
jects.

jects. It afflicts us to thinke of the pressures we underwent by new imposts; and that voluntary dangerous president of excise of 40. s. per Tonne upon wine, besides divers other greivances. And yet all these past currant under the peticious and plausible pretence of the Subjects good, (which Mr. Attorney Generall found, and so exprest it in his Study) but we found the quite contrary in experience. And as our troubles were thus multiplied in the common-wealth, so did they no lesse encrease in the Church; we had new devices leading fast on towards Popery. It began under the faire pretence of orderly service of God by railing in the Communion Table, providing Church-Ornaments, and the like, (which we are so farre from condemning, that we should have had cause to thank them if they had said there) for we well approve of harmlesse and inoffensive Ceremonies, and decent forme of Gods worship and Service) but what with their new Christning, our Communion-Tables to make them Altars, setting them Altar-wise at the upper end of the Chancell, advancing them upon steps, in some places changing them from wood to stone, setting up Crucifixe, and then bowing and cringing, and the bold Sermons for auricular confessions, free-will, merits, real presence in the Papisticall sense, and such other stuffe, we could not well tell where they would rest untill they had brought in the Idoll of the of the Masse, Image worship, and the like, and made the Archbishop of Canterbury equal to a Pope in England, who to our greif had obtained that command in Church and State, and that power at Counsell Board, Searchamber, and high Commission, (besides his under-hand awing the Common Law Judges to betray

betray the Law to his will) that he Lorded it all the
 Kingdom over, and by the assistance of some of his
 under Bishops (as bad as himselfe) and others more
 easie to be wrought upon, he brought the Clergy (some
 few godly Ministers excepted) (who then by way of
 disgrace were termed Puritans, and now Popishly
 affected Malignants) to be at his Command, who
 preached (or rather prated) nothing but blind obedi-
 ence, and the Kings Prerogative, and such things as
 they understood not, make us odious to our Prince,
 and raise themselves to preferment (which was too rea-
 dy a way in those times to accomplish their desires.)
 We would not be mistaken, as if we did inveigh against
 Arch-bishops, or Bishops, or bore ill will to the Clergy
 in generall, we like well of their dignities and orders,
 and there are many among them, who by their pious
 Breaching, gracious lives, godly examples, and orderly
 Government in the Church, have been great instru-
 ments of our goods, and by their depth of Knowledge
 and Learning, stop the mouthes of Papists, Schisma-
 tiques, and Heretiques: we pray for them, and that God
 would encrease the number of them, and if it had not
 been thought otherwise fit by the State, we should ne-
 ver have denied the Bishops a place in the Lords
 House in Parliament, and hope they shall yet continue
 to have a name and fit power of Government in the
 Church, though their Votes in Parliament be gone,
 (which for the manner of carriage in taking them a-
 way (if all be true that we heare) was not so well as we
 could have wished for the honour of that Great Court
 which we shall labour to uphold.) By this time we
 presume you will thinke we may speak to the purpose,
 for our losses were not small: if the losse of Proper-
 ty, Liberty, Life, or Religion be great. But you will
 object,

object, These were not lost, onely in hazard, and that all
 these are now put out of danger, by abolishing Ship-
 money, and all other things of that nature, and by other
 good Bills passed this Parliament, and a Bill ready to
 be passed for a Synod, if the King will give His assent.
 To which we answer, and acknowledge the goodnesse
 of the King, that he did not extend his power in the
 case of Ship money to that latitude, when time was
 (as our Judges put into His power) and when He
 was advised by his Great Counsell it was against Law;
 He yeilded to abolish it. We confesse His Grace
 to us in the Bill for the Trienniall Parliament, and
 in regulating His Counsell Table, and putting down
 His Court of Star-chamber, and High Commis-
 sion, and other good and profitable Lawes, consented to
 by Him, and made for us this Parliament; and we
 blesse God we have such a King, and pray heartily for
 His long life and happy Raigh over us, and publish
 to all the World, that we doe from our hearts
 acquit Him from the guilt of all our sufferings, and
 a thought in any of us of his inclination to Popery,
 and wish, that those that are in Authority under Him
 would learne goodnesse by His example, and that
 the whole Kingdome were as sound in the Protestant
 Religion; but yet withall, we must let Him and all
 the World know too, that our condition at present
 is so far from being bettered, that 'tis grown extreemly
 worse, as if all the evils of former times had been
 epitomized into the Volume of a yeare last past
 or thereabouts, and the quintessence of ours and the
 former Ages greivances extracted and given us at
 one draught: It is true we had a Parliament called
 before this, on which our hopes depended much for
 redresse

redresse of our evils, and how unhappily it ended we too sensible feele. Whether he that is dead, or the late Comptroller that is living (and would have set that unvendible commodity of Ship-money to sale in that Parliament for 12 Subsidies) were the cause of it, we judge not, nor condemne any. And it is as true this Parliament to our thinking was called seasonably for our releife; and the unhappy differences arisen in *Scotland*, almost miraculously quieted, and our Brethren of that Nation returned home peaceably (though we must not forget that it cost us 300000*l.* besides the many thousands weekly their Army and ours had for their support here, which we could wish had been spared.) And we ought likewise to acknowledge (for it is a truth not to be denied) the care both Houses of Parliament have taken for suppressing Popery, discountenancing Ministers Popishly affected, and the many expressions they have made for maintaining our Protestant Religion and Lawes; but for all this, we have now more cause to complaine then ever. At the beginning of this Parliament they removed one highly charged for endeavouring the subversion of the Fundamentall Lawes of the Land, and many other Treasons which how far guilty we determine not, because we heard no evidence, and though we are sure he was a great cause of our sufferings, yet we could wish his Attainder, might have beene in such manner, as others taking notice of his punishment, might have feared to commit the like crimes, and not so to punish, as to need a Declaration, that his manner of punishment should not be drawn into example afterwards (the ready way to draw a suspition upon the Justice of his sentence) but if our Fundamentall Lawes be

all subverted, what doth his punishment advantage us? The Houses likewise took care for committing the Arch bishop of *Canterbury* to the Tower, Judge *Bartly* to the Sheriff of *London*, Sir *George Ratcliffe* to the Gatehouse, and all these for no lesse crimes then High Treason; but we are ashamed to thinke that they should lie in Prison above two yeeres together without a legall triall, (which will be a faire justification of all our Judges of inferiour Courts for delay of Justice, and no small injury to the free Subjects of *England* in the precedent to be deprived of their Libertie so long upon a bare surmise) nay wee heare (but will give no present credit to it for the Honour of both Houses) that one of the Judges of the Kings Bench is kept Prisoner in the Tower for no cause at all express, (or any just one that we can learne;) and Judge *Bartly* that lies under the impeachment of High Treason, appointed by both Houses to sit Judge again in that Court, which if it be true, we must plainly tell you, that wee feare the impeachment against him (as well against halfe a dozen more of his brothers, that never proceeded further then an accusation) was rather to awe them, and make them serve turnes upon occasions (keeping them under the lash) then out of zeale of Justice, or for the common good.

Nay, we have good advertisement, (for we are not so well acquainted in the Prisons, as to know by sight) of many hundreds committed by both Houses this Parliament) where, by the way, we should be glad to know how the House of Commons, being onely part of the Body of the great Counsell, and no Court of Record, have got a power to commit such as are none of their Members) (wise men and good Lawyers question it)

we say many hundred committed, and not one convicted except the Lord Major Sir *Richard Gurney*, *Binton*, and the now Kings Attorney; for the latter of which we are not so wise as to understand his fault, being a high point of new-Parliament Priviledge, which his Judges could not by a known Law suddenly find any punishment for; and for *Binton* let interest upon the Consciences of his Judges, whether he were guilty of the crimes charged by good prooffe; but this we must say that we are not satisfied, but that he ought to have been tried by twelve Free-men upon their Oathes according to the Great Charter of *Engelland*, and not by the Lords, who are not our equals; and for the sentence it selfe we have so just cause of complaint, that if such arbitrary justice proceed, we shall find little ease by transferring the Star-chamber from one end of *Westminster Hall*, to the Lords House at the other; and it will be much alike to be committed by the Star-chamber to *Carnarvon Castle*, and the Lords House to *Cholchester Goale*, and much worse to be committed during the pleasure of that House, then the Kings, for we find him more inclinable to mercy, (though we wonder much how the King lost a power of pardoning, or shewing mercy in any crime whatsoever, that did not concerne a particular Subject.) And for the honest Lord Major *Gurney*, if if you will beleive us (and many of us were present at his trial) he might with more honour and justice too, have been acquitted then sentenced, his greatest fault being his obedience to his King, and true service to the City according to his Oath and Duty of his place. If these things be true it will make us feare some bold strokes with the Sergeant at Arms Messengers, and

Gaolers in the Fees, and that little care is taken of the Subjects Liberty in the meane time. It may be thought these things nothing concerne us, but beleve it there is more in it then so: that which is one Subjects case now, may be ours or our Childrens hereafter; and a bad precedent is many times of great authority, and dangerous consequence, which we are the more sensible of, because we hear some ignorant Lawyers of the House of Commons (one of which wears a scarlet-hood, which he paid dear for, and was held none of the wisest the beginning of this Parliament) are pickt out to find precedents, and justifie by Law the legality of sequestering mens estates and inheritances, to turn the King out of his power, of making Sheriffes of Counties, and put that in the people, and by consequence deduce it to themselves; nay some (whom we blush for) have not been ashamed to put in print a precedent for deposing a King and could finde no better then King *Richard* the second, who all the world knowes (to the scandall of this Nation was traterously murdered, the whole progresse of which Act was a horrid Treason upon the fairest relation of any Chronicles). And therefore we beseech you blame us not if we here by way of exception make mention of them, that they may not hereafter be cited to the prejudice of us and our posterity. We crave leave now to lay down truly and plainly (for our condition is such that we must not palliate) the redresse of our grievances by this Parliament. Indeed, we acknowledge a great deal of zeale in the House of Commons in questioning Projectors, Monopolizers, and the like, but it was too hot to continue, for we do not know of any one of them to this day punished. Nay *Kilvert* that grand Pro-

Projector in the 40. s. *per Tonne* excise, so far from punishment as our great Masters of the House of Commons were not ashamed to make use of his skill (who is known to be very dexterous to oppress) to have drawn all the poore Vintners of London to make Fine and Ransome, and if they have escaped they may thank their poverty, and not their innocence: how this comes to passe we know not; but this we know, that Alderman Abel (*Kilverts* Comrade in that businesse) was a rich man (and the King gives a hint, as if one of the House of Commons (a crying sinne, if it be true could take mony) and whether *Kilvert* or *Abel* made friends, and so got off (for it is too evident, that there is notable friending there in Causes; both at Committees and in the House) or whether in the examination of that businesse they stumbled on some Grandee, or others as deepe in that project as they, we cannot tell: but sure we are, they are at liberty; and unpunished, when many of our honest brethren, and free Subjects are kept in Prison for maintaining their rights by Law.

A great adoe was made about the Customers for their exacting Customes and Imposts, but the conclusion of that businesse, shews plainly, the House of Commons aimed meerly to get money; for the Customers purchased their peace of them (which phrase sounds ill in a place of Justice) and now the House of Commons against expresse Law exact the like Customes and Imposts, which they dispose at pleasure, and think an order of both Houses a dispensation to that *Premunire* in their Act of Parliament, which we feare will scarce upon a fair and legall trial excuse: What think you of the Project of sealing Gold and Sil-

ver Thred and Wire (which the poore Artists about London so much cried out upon?) If any body had been punished for that abuse, it is more then we could ever heare; yet we, and both Houses too know, that that great Lord of the House of Peeres, and Sir H. Mildmay still of the House of Commons, that dipt their fingers deepe in it; nay, and though the King gives a gentle reproofe for it, we see nothing done thereupon, which makes us beleive, that it was not altogether pure Justice in voring out all Monopolists and Projectors, &c. out of the House of Commons, and yet so notorious a one kept in; nay by your leave we can tell you who escaped turning out upon the loan of 50000*l.* which was ill news to us, to think that House could be hired with money; and yet we have wished since, that all the Members of the House had beene as able to furnish money as he; for then peradventure many as wise and as honest, and of as clear repute in the Common-wealth, (though the man is free from exception) which have been Voted out without any cause, might peradventure have sate there still, and by their wisdom and moderation (if that be of weight there) prevented many sudden unadvised Votes which will scarce be for the honour of Parliaments in succeeding ages. And since we are thus unhappily fallen into the House, we must (though by digression) let you know how sensible we are in apprehending the truth of His Majesties Declaration in the undue courses of election of Knights and Burgesses, and as undue inturning out those duly elected, and putting worse in their rooms; and the notable siding & making Parties thereabouts, insomuch as the Committee for elections, have got the Nickname of the Committee
of

affection, where every one is more for his friend, then the right; and if all the House of Commons be Judges (as they pretend to be) we can charge every one of them with such sollicitation and pre-instruction in causes and engagements to a party, as were enough to turne any other Judge of *England* out of his place, and forfeit all his Estate, and that justly too.

We would be glad to know what was the cause of turning the Lord *Faulkland*, Sir *John Culpepper*, Sir *John Strangwaies*, Master *G. Palmer*, and divers others out of the Houses (for they were voted out by scores hand over head) unlesse it were because they spake more reason then the more violent party could answer; and therefore it was come to that passe, that (cleane contrary to the use, yea, and the Honour of Parliaments too) things were not debated by reason and strength of Argument, but by putting it to the question, and carrying it by most voyces, where the greater number were so farre from understanding many times the force of Arguments, that they did not after the Vote was past conceive the state or sense of the question, but thought it was enough for them to Vote with Master *Pym*, or Master *Hampden* by an implicate Faith, and if they differed (as feldome they did) then crosse or pyle, Vote at adventure: doe not think we are too bold herein, or this is breach of Priviledge; for when these things are told abroad (and it were pity they should be concealed, lest they should not be amended,) blame not us for complaining of them, when we suffer so much by them; and if it be a breach of Priviledge, we hope we shall escape as well as Master *Lawrence Whitakers*, the late Clerke of the Councell, for a farre greater, who searcht Master *Hampdens* pockets, and

and took away his Papers soon after the breach of the last Parliament, and yet now continued a Member of the House of Commons. Indeed, we heare much complaint touching the breach of Parliament priviledge, principally that touching the Lord Kimbolton, and the five Members of the House of Commons, and we so far dislike the Kings going to the House of Commons, as we take it to be against the priviledge of Parliament, and wish with all our hearts it had been forborne. But after the King hath given so full satisfaction therein, and in plain terms made an acknowledgement thereof (a rare thing in a Prince) that it should still be mentioned (as if all errours in a King were never to be forgotten) we must needs thinke there is not that care of preserving the Kings honour, and desire of unity between him and his people, as all honest men wish for; and that the Kings faults are nothing neere so many as are pretended, that this must be so often reiterated to make up a number. And yet by the way we must hint thus much, if that Lord or five Members be guilty of Treason, we shall not stick to convict those five Members, and see them duly executed, according to the old Law; (for we never heard that any Parliament man had a priviledge of Parliament in his Tryall for Treason till this Parliament, and we meane not to uphold new created Priviledges.) Surely, breach of Parliament priviledge is not a sin unpardonable (if it be) it will fare ill with some of both Houses that discovered the difference of opinion by some of the House of Commons by name, in the businesse of the late Earle of *Strafford*, and the well-affected Lords in the House of Peeres in the businesse of the Church Liturgy. I and with all the

the rabble of Brownills and Anabaptists, that with unheard of impudence durst aske the question publicly at the Barre in the House of Commons, who they were which opposed the well affected party in that House, (a thing unprecedented) and that more noble person of the House of Commons, that did not stick to aske the like question in the House of Lords (though we charge not that upon his score, (blame to them that enjoyned him that taske.) Nay, what shall become of the multitude of the zealous Sectaries, and rabble of ignorant people sent to both Houses, but specially to the House of Peeres by Captain *Ven* and his wife, and *Isaack Pennington*, to cry Justice, Justice, and, No Bishop, No Bishops, and to terrifie some Lords from the House, and to awe others that were there; we can find no way but a pardon, or an Act of oblivion: for we are sure there were never higher breaches of Parliament priviledge then these, nor a greater stain upon Parliament proceedings, God grant they rise not up in judgement against us and the Nation. We are loath to rub too hard upon this sore, we know it is a tender place, else we could tell strange things done this Parliament, not onely *ex tempore* Vote, but Bills passe *ex tempore* the same day they were first read, contray to the gravity and reason of all former times, as if they could as well Vote and make Acts of Parliament by the spirit *ex tempore*, as their Levites can pray and preach, and to say the truth, are much alike, which makes religious and wise men ashamed of both, and is no small cause of our complaint. Let no man thinke this a businesse of no concernment to us, it is no lesse then our losse of Parliaments (whereby we shall

lose all our happinesse) if we lose the honour, wisdom, gravity, and justice of them : and we must complaine till we see amendment, and must crave pardon of our Noble Lords to tell them, that we see (what they know to be true) so much siding and engaging one another in their Committees in matters of civill justice, that if there were a superiour Court to complaine unto of what they have mis-done this Parliament (besides the many delays and protraction of causes) whilst those who should attend to heare and judge are in bed, or at play, or some worse employment, (or idle at the best) our Judges of inferiour Courts (whom we formerly complayned of, and not without cause) would be reckoned little gods by way of comparison; and few of their best Orders are worth the charge of attendance, and Lawyers and Clerks fees. And surely when things are thus carried, we have cause to speak, but the worst is yet behind, for (as if our Parliament, which was wont to redresse all our greivances, envid our happinesse, and studied our ruine) they have found out a new way to deprive us of our Lawes, Libertie, and Property. This may be thought very strange at the first sight, but we shall so plainly demonstrate it, as we doubt not, but (the Parliament men themselves being reasonable Judges) it will be assented unto for an undeniable truth; and it will be eydent to every ordinary understanding, that under the pretence of defending our Lawes and Religion, we are couzened of both. To begin with our Lawes (and follow them for the present, though in an ill president, in putting Religion at the fagge end, when other businesse is done) we have got a new Law of Ordinances so called, that

hath

hath turned all our Liberties, Property, Petition of Right, and all other old known and rightfull Laws out of doores; and if we continue so simple longer to submit to them, the free Subjects of England shall be in worse condition then a Turkish slave: whilst they are at the mercy of one, we at the pleasure and command of hundreds, to dispose our lives, liberties, estates, wives and children, yea and our Religion too according to their humors.

The first time we found this stealing in upon us, was in the businesse of the *Militia*, which we swallowed without any examination of the legality, being driven into amazement with feares of some sudden and unavoydable danger; and blame us not, if we were apprehensive thereof upon Printed Relations of so many pretended horrid treacheries against the Parliament, when every day almost produced a discovery of a new Treason: That of the Taylors in Moore-fields, the Stable of Horses under ground, the Danish Fleet that was discomfired by *Van Trump* a long time since, besides other strange discoveries, and Letters that came God knowes from whence; for the Authors may be ashamed to be known, and such like fictions, that served onely to amaze us, whilst in the meane time we yeilded to that illegall power put in the Lieutenants of the *Militia*, thinking onely thereby to defend our selves from a present Force; but we find now that it is, and hath been put in execution to divest our King of his Forts, Townes, Castle, Navies, Goods, and Revenues, and to put the strength of the Kingdome in the power and command of poret Men of desperate fortunes or factions, and Schismaticall Men addicted to Anabaptise and Brownisme:

Look amongst the *London* Commanders, from *Fowke*, *Normington*, and other the Princes of the *Militia*, by Col: *Ven* and *Manwaring*, as low as Captaine *Bradly* and *Baste* (if bankrupting be a badge of Poverty) and compare the rest of the Lists, and for one honest able Commander, you shall finde more then twice as many Schismaticall beggerly Sectaries; indeed, some are Men of worth, else the cheat had been too grosse. We confesse we are not so sensible as discretion would have taught us of the taking of *Hull* from the King, and seising His Arms there, and little thought His Declaration was a true Prophesie that our turnes would be next: We never dreamt, that any under pretext of Religion, or presenting a Petition to our King, would have assaulted His Royall Person, as at *Keynton* (an act which we disavow to the present Age, and all succeeding Generations) we could not have beleevd, if we had not tryed it by wofull experience, that our Horses and Goods should have been taken away against our wills by *Isaac Pennington*, or any his Officers; that Souldiers should have been billoed in our Houses perforce, nay, and Martiall Law Voted to be put in execution by two Houses of Parliament, and that sitting a Parliament, and whilest other Courts of Justice, Assises, Sessions, and the Courts of Westminster were all open, we wonder where the new offices of Malignants and ill affected, and Men not to be confided in, are to be found in our Law? and what punishment is due to them? And we no lesse wonder how it was possible that Noble Lord (whom we took to be our Patron in defence of our Religion and Law) was drawn in, or brought on to be generall of an Army against our King,

King, and to be an Instrument of so much mischief to us; and how those brave Lords, *Northumberland, Warwick, Holland, Bedford, Salisbury, Howard*, and honest *Pembroke*, with some other honest Lords, and the remnant of honest and wise men left in the House of Commons, could be led on all this while, and not discover the misery that was brought upon us and our posterity by this found Law? It is too late now to prevent what is past, and it is some comfort to us to heare that they do understand, and are sensible of our sufferings and dangers, and endeavour to prevent them; but unlesse a speedy course be taken, we see our ruine so imminent, that we must fall to put our resolutions in practice: as if all former greivances were too little (putting in the plundering of Houses, and more then barbarous cruelty in the unheard of tortures which the Parliament Forces used to some of our neighbours (old *Beſt* of *Canterbury*, and *Sir William Botelers* man of *Kent*, and others; for instance of the latter, and his Master, and hundred houses more plundered by them for prooffe of the former.)

There is now another so named Ordinance for taking away the Twentieth part of our estates, and provision by additionall so called Ordinances to levie it by distraining our goods, imprisoning our persons, and turning our wives, Children and families out of doores, which when we first perused, we concluded with our selves, that either those which made it were not well in their wits, or did beleeve all the Subjects of *England* but themselves fooles, to suffer it to be put in execution. We are much engaged to our King (as for many other favors) so particularly for that his last Declaration of the eight of December, by way
of

of answer to that pretended Ordinance, and his charge not to obey it. And we find his good advertisements in other his Declarations too true (we wish we had heeded them better in time) but we must with all humilitie let him and every one else know, that from the first perusall of that Ordinance we were resolved to oppose it to the death: we found it evident enough, that they might by the like new law take the other nineteenth part of our estates when they pleased, and our lives too. And they of the House of Commons were much mistaking, who thought it a favor to us in sparing our lives in this; for he is a poore spirited man that would choose to live in a prison, and see his estate raken from him, and his wife and Children turned begging, and banished: And therefore we must deale roundly for the truth, as others have done for wrong. We would faine know how long it is since the making law by Ordinance was in use, for some of us (as old as since the beginning of Queene *Elizabeths* time) never knew it till this Parliament. Indeed, we have heard of such things that were of antient times (and it may be lawfull too). but cannot yet learn by any good Antiquary or Lawyer, that both Houses of Parliament, without the Kings consent, did make an Ordinance to bind the free Subjects of *England* in their lives, liberties, or estates. If an Order of both Houses may make new Law, or abrogate or suspend our old, you may quickly seise upon all our estates, and bestow them amongst your selves and their friends; and you have shoven us a good inclination that way, in bestowing 6000. li. upon your Speaker of the House of Commons, and places of command, and no smal profit in the Army upon Members of both Houses,

their

their children, kindred, and friends, which for their skill in war might as well have been spared in the Army: As for Counsell in the House, witness those grave and valiant Lords, *Hastings, Rochford, &c.* and we could never learne of any great experience of Marti- all valour in my Lord *Say*, or his son (that had the fleet unruly horse) to draw them so conscientiously to to undertake imployments of that nature. But we find little conscience made of taking pluralities of Com- mand in the Army (a Regiment of foot, and Troop of horse) and stay at home and take the pay, which comes out of our purses, and complains of lazie Mi- nisters for pluralities of Church livings: We like not the latter, and we doe as much condemne the for- mer.

We thought we should have had thanks given to such of us as had been wrought upon to bring in our plate, and lend money to the Parliaments, more then wise men would have done; and that it had been an impossibility that ever the quantity and proportion should have been questioned; and a tax follow. Will our great Lords and others of great estates in both Houses part with the twentieth part (so round- ly?) Our choice it seems is now as in the beginning, differs onely in this, There lend, or go to Prison; Here lend, or take and sell our goods, put our persons in a Gaole, turne Wives and Children out of doores, and banish them.

What is become of our Petition of Right? What use of a Trienniall Parliament? If this last but a few dayes at this rate, we shall have never a Free-holder of 40^s. a yeere left to chuse Knights, nor a free Citizen but in a Prison. We wonder that this new kinde of Ordinance

Ordinance was not sooner found out. It would have spared the trouble of getting the Kings assent to many Bills. Why was not *Strafford* kill'd with an Ordinance? the Bishops discharged out of the Lords House with an Ordinance? and this Parliament made everlasting by an Ordinance? What dull unlearned men were *Sir Edw. Cooke, Phillips, Ellyot, Digs, Sands, &c.* that could never find or devise this knack of forging new Lawes in former Parliaments?

The rule you make is, That an Order of both Houses, which you mis-call an Ordinance, binds us during the Parliament. If you had but made, or doe yet but make such an Order, this Parliament can never dissolve, and we must re-call our thanks for our Triennial Bil, for we shal be made uncapable of taking fruit by it. Seeing you are pleased to proceed so farre, we beseech you to make one Ordinance more, That both Houses shall be a Corporation, to take Lands and goods to them and their Successors, and that they shall be the onely Projectors of all the Lands and goods in the Kingdome, and when any of that Corporation dies, *toties quoties*, the Survivor and none else shall choose a Successor to perpetuity. And if this be binding to the Subjects (as it must be if your rules hold) we have spun a faire thred in sending Knights and Burgeses to this Parliament. Indeede you have dealt gently with us (in comparison) in taking but the Twentieth part, having stopt all the Kings, Queens, and Princes Revenues, and left them to live upon Almes (which all men cry iname of) and we beleve will not be well-raken by our brethren of *Wales*, that you should souse their Prince, how bold soever you make with our King; truly, we find as spetious preambles to these

~~new~~ Ordinances to ruine us, as to any former Projects and Monopolies, which make us thinke some of the Kings Counsell at Law, are gotten into the House of Commons, and under hand for Conscience sake, betray both us and their Master; and we feare ere long, if these courses hold, *Isaack Pennington* shall have a Monopoly of high-way passages at 2.s. per Pell, established by Ordinance for the good of the people, which now he exacts without comptroll.

We beseech you to think us not so void of reason, to be thus deluded; if Serjeant *Wilde*, or the more learned *M. Glyn* avouch it for Law, we shall no more beleieve it upon their words, then we did his Countryman Judge *Jones*, in his opinion of Ship money. And never pretend to us that in cases of necessity you may doe what you list, when you pretend liberty to declare a necessity when you please; That were to make us in farre worse condition then the Ship money businesse, we shall find too many in both Houses full of necessities: And therefore we beseech you to consider seriously, into what desperate exigences we are driven, and if we find not speedy reliefe, we must take up some of your own principles for prosecuting our Resolutions in defending our selves, in cases of urgent and unavoidable necessity: Nay, and it is high time to doe it presently, if you have sent for an Army of *Scots*, (as we heare you have) to make us a Conquered People.

We should weary out a patient Reader, to tell all our distresses; and how the businesse of *Ireland* hath been carried, and trench'd too much upon, the honour of those Houses which we shall study to preserve:

We forbear therefore further enumeration in our civill calamities, as unpleasing to our thoughts; and in a word or two tel you, how it hath fared with us in our Religion and Church- Government. God be blessed our Papists and Jesuits pull in their heads, and good care is taken for keeping them under, but we wish it might be done according to the Laws, (which are strict enough, if well executed) and not by plundering and torturing; for if the Law be not the Rule, we, as well as they shall come under the slavery of Arbitrary Government. And to speak truth, Preaching is much advanced; but what we get one way, we lose twice as much another: for one Papist before, two seditious Sectaries and Schismatiques now; we would not be mistaken in our expression by [*Sectaries*] and [*Schismatiques*]. we meane not religious and godly men or women, who make conscience of sanctifying the Sabbath, frequenting Gods Ordinances of praying and preaching, observing Family duties, of praying and instructing their Families in the principles of Religion, abstaining from all sinne themselves to their power, and for conscience sake friendly and charitably reprovng others that doe offend, and in short make conscience of every sinne, as it is an offence against God. No, God forbid we should harbour such a thought in us, we honour such, and pray God encrease the number, and whether they be nick-named *Puritans*, or loose *Protestants*, or any other new names of scorne, it matters not, we are contented to share with them in their disdain; I take part with those pious and learned men, *Usher*, *Moreton*, *Brownrigge*, *Westfield*, though *Bishops*; *Holdsworth*, *Skute*, and others, though in Prison, or suspected

pected for men Popishly affected, or Neutralists:
 But we intend such as pretend to purity without
 honesty, that inveigh against swearing, and practise
 lying, cozening, and deceiving; that cannot endure
 Episcopall Government, or our Book of Common
 Prayer, though farre better then any they can frame
 themselves; That would have no Government in the
 Church, but all to be independent; That preach,
 practise, and maintain sedition, rising in Arms a-
 gainst the King, Gods anointed, yea, deposing and
 killing Kings, (that are not such as they would have
 them) That take more offence at a harmlesse Ce-
 remony, then at zealous incontinency: These are those
 that we inveigh against, that are come like the plague
 of flies, lice, and caterpillars amongst us, and are
 countenanced by no mean ones in both Houses, that
 stick not to affirme, we have had no Reformation in
England hitherto; and so make our Religion (in
 which we resolve to live and die) either nothing,
 or hereticall, and by their impudence, cunning hypo-
 crisie, and seeming holinesse (deprest with deserved
 poverty) and hoping to catch good Fish in troubled
 waters, disquiet our Church, and raise and foment
 discord in the State, and yet are suffered to passe
 unpunished: Nay, the Laws against them in villifying
 and disgracing our Church-Liturgy totally suspended.
 It may peradventure not be beleeyed that such a thing
 should be, but beleeeve us, a new Ordinance will do
 strange things in Church and Common-wealth.
 Nay, we expect ere long to be to'd, that an Order of
 the House of Commons will be an Ordinance too,
 at least bind us by, or as a Law; for it hath been put
 in practice already to stay proceedings in Courts of
 D 2 Justice,

Justice, and free a Felon out of Prison without triall, and lest you think we coyne untruths (as fast as some others) you shall find by their Journall, where they staied all men from proceeding against Sir *Thomas Dames*, and discharged one committed by the Lord Cheife Justice *Brampton* to Newgate for Felony, in stealing the Countesse of *Rivers* goods. And we cannot forget the Order under the Teste of M. *Pym*, two yeares since, for taking the Railes from the Communion-Table, when the House of Commons it seemes had delegated their power to him (as they have done since to a close Committee of safety, a course unheard of in former times, & not more absurd then illegall and unjustifiable.) But we are told we shall have a Synod called, and a Bill passed for it, and all things shall be settled in the Church; God grant we may live to see it: for we must tell you, that we heard the Houses of Parliament intend to choose the men for the Synod (which is a device as new as the Ordinance) and that the greater number of them are those who oppose Episcopacy, and our Book of Common Prayer; which if true, we must let you know, We hold them not fit Men for such a businessse, and they may spare their pains till we would have Religion and Church Government unsettled, which hath been their work hitherto; and we must in Justice require a Synod, such as was known to former Ages, and that we may not blush to owne when occasion requires. This certainly should have been the first work, we pray it may be well settled at last. But we feare instead of Reformation, we shall have some idle head or other will be framing an answer in writing to our Complaints, which we must tell you will give us

no satisfaction; Or we shall have a new Declaration, or Remonstrance, stuff with an old Story of too often-repeated miscarriages; (for when any your Ordinances that invade our Rights are to be put upon us, we never misse some such thing to accompany them, and gull us) we must tell you, It is no ease to us to be told in fine words, We shall be disabused; we desire you will begin seriously to Act, and leave Writing, for we finde upon all your Writings, you have still gone by the worst, which makes us beleeve you have not the better cause, but truth is against you, having the advantage of so many able men to pen, and an inclination on your parts to conceive the best of what you set forth, and prejudicacy to what is Written in opposition. We therefore humbly and heartily desire both Houses to declare themselves for the maintaining the Book of Common Prayer established by Law; submitting the correcting, qualifying, or altering such things, and indifferent Ceremonies, as to a Synod lawfully called shall be thought fit, and may justly give offence to weake Consciences; That Lawes may be made and executed against all Schismatiques, Heretiques, and separatists; and these already made, executed against Papists. That Armies may be Disbanded, Peace Established: The Scots (if sent for) discharged; and our King denied nothing that is his by the known Law of the Land, but restored to all, and be such a glorious Prince as you promised him. That the new Law by Ordinance, i.e. by Order of either or both Houses may be abolished and damned, as was that of Ship money, and let us heare no more of a legislative power, but where King, Lords, and Commons concur (for we will no
more

more submit to it then to a new Law by Proclamation) and we require that we may be suffered to enjoy our Lives, Liberties, and Property, according to our Petition of Right, and known Laws, and suffered to try our Rights without Parliament Injunctions. That these things may be done suddenly, and this Parliament dissolved, that so we may have liberty to proceed at Law against the severall Members of both Houses, who make use of their Priviledge, to hinder the proceedings of Justice, and owe us many thousand pounds, and that we may have some fruit of the Trienniall Bill. If these things may not be obtained unlesse without breach of Priviledge, we may have the names of the first Projectors of these new Ordinances, and such as labour to uphold them. We must let you know, our Resolution is to re-assume the power we put into you (for we told you before, we must work upon your own principles (for you having mainly broken the trust we reposed in you, in subverting all our Lawes (which you should have preserved) we may take back what we gave you, (and we are certain, your elections are more conditionall upon that point then our Kings Crown, which comes by inheritance and succession;) And we are sure we have as wise, religious, and honest men left behinde, as we sent to the Parliament. And in case of urgent necessity (which is our case directly) our Laws being over-turned, our estates and liberty lost, our wives and children threatned to be turned out of doores, and banished, and our Religion endangered, we may defend our selves by Arms, and make use of what is next, and we have a president showne by your selves for the manner of
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that defence : And shall not be ashamed or afraid to adventure our estates and lives for defence of our known Laws, and true Protestant Religion, and not die slaves more to the name of a Parliament, then to any Tyrant.

we have Published this before we could understand the Resolution of other Counties, the times requiring it, and could not expect their Answer ; If they approve it, and joyne in it, we desire them to declare so much Publicly, and to doe as we intend to do, namely, totally oppose all new Ordinances, and maintain our Rights by our old and known Laws, assisting each other with Life and Fortune in this our Resolution, for Gods glory, our Countries good, and our own Freedome.

FINIS.



